

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 4253 of 2015

[Shashi Bhai s/o Jethalal Mehta and ors. Vs. Dr. Subhash s/o Shankarrao Saoji
and ors.]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri J. B. Gandhi, Advocate for the petitioners
Shri D. V. Chauhan, Advocate for the respondent nos. 1 to

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CORAM : Prasanna B. Varale, J.

DATE : 1-2-2016.

Heard Shri Gandhi, learned counsel for the petitioners and Shri Chauhan, learned counsel for the respondents.

Shri Gandhi, learned counsel for the petitioners, on instructions, prays for withdrawal of the writ petition.

The writ petition is disposed of as withdrawn.

Shri Gandhi, learned counsel, however, submits that the petitioner may be granted liberty to move an application after the parties have adduced the evidence. Such permission may not be required on the backdrop of the order passed by the Joint Civil Judge Senior Division, Akola in which it is specifically observed that defendants have filed this application just to prolong the matter and defendant can file this application after both parties adduced their evidence if it is required in the interest of justice for fair disposal of suit.

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The petition is disposed of in above terms. Needless to say that in view of disposal of the writ petition, the interim order stands vacated.

JUDGE

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